

The actions delineated below were taken in open session of the EPSB at the June 17, 2002 regular meeting. This information is provided in summary form; an official record of the meeting is available on tape in the permanent records of the EPSB, 1024 Capital Center Drive, Suite 225, Frankfort, KY 40601.

**Education Professional Standards Board (EPSB)
Summary Minutes of the Business Meeting
Best Western Hotel
Frankfort, Kentucky
June 17, 2002**

Members Present:

Lydia Coffey
Joe Early
Joy Gray
Arthur Green
Starr Lewis (for Gene Wilhoit)
Terry Poindexter
Jack Rose
Tom Stull
Charles Wade
Joe Welch

Members Absent:

Doris Barlow
Eugene Binion
Karon Click
Kristin Gregory
Penny Robinson
Beverly Tomlin
Mark Wasicsko

Minutes

Call to Order

Chair Dr. Joe Early called the meeting to order at 9:15 AM.

Amendment of Agenda

Motion made by Ms. Terry Poindexter, seconded by Ms. Joy Gray to amend the meeting agenda, adding an application for alternative route to certification based on exceptional work experience for Ms. Madeline McGeeney.

Vote: Unanimous

Approval of Minutes

Motion made by Ms. Lydia Coffey, seconded by Ms. Poindexter, to approve the minutes of the May 20-21, 2002 EPSB meeting, removing the incorrect reference to a "Master of Arts in Teaching" alternative route to certification proposal submitted by Western Kentucky University.

Vote: Unanimous

Open Speak

No requests were made for Open Speak.

Report of the Executive Director and Staff

Ms. Allison Weber, EPSB general counsel, swore in Ms. Starr Lewis, designee for Commissioner Gene Wilhoit.

Ms. Mary Ellen Wiederwohl updated the board on the two Title II projects/reports – 1) Title II of HEA’s – “*Meeting the Highly Qualified Teacher Challenge*” and 2) Title II of ESEA’s – “*Improving Teacher Quality State Grants*.” Dr. Susan Leib and Dr. Early urged institutions of higher education to be aware of the changes in the law and be prepared to meet the new requirements.

Dr. Leib reviewed with board members the following items:

- letter from President Jim Taylor, Cumberland College, acknowledging receipt of DRAFT report from the Board of Examiners visit on June 5
- amended staff note on Local Educator Assignment Data, Notice of Intent and Emergency Regulation
- additional information on Ms. Gail Graves’ waiver request
- finalized retreat agenda

Report of the Chair

Dr. Early introduced Dr. Don Goode, Vice-President of Academic Affairs, Cumberland College, and also recognized Dr. Martha Johnson, Chair, Department of Education, Cumberland College, who is retiring.

Full Board Information Item

Emergency Review of Certification Program Reports (DRAFT)

The board was presented with DRAFT reports from the emergency review of certification programs at Kentucky State University (elementary education and physical education) and Cumberland College (learning and behavior disorders). Dr. Marilyn Troupe reviewed the procedures used by both Board of Examiners teams to conduct the emergency reviews. A final report, institutional rejoinders, and staff recommendations will be presented at the September EPSB meeting. Additionally, reports from Eastern Kentucky University, Morehead State University, and the University of Louisville (these institutions were placed in Phase I of the *Procedure for Emergency Review of Certification Programs*) will be presented. The board will review the policy at the July annual retreat.

Full Board Action Items

704 KAR 20:760 & E, Local Educator Assignment Data, Notice of Intent and Emergency Regulation

2002-59 *Motion made by Dr. Jack Rose, seconded by Ms. Coffey, to approve 704 KAR 20:760 & E, Local Educator Assignment Data, Notice of Intent and Emergency Regulation.*

Vote: Unanimous

704 KAR 20:750 & E, Teacher's National Certification Incentive Trust Fund, Notice of Intent and Emergency Regulation

Motion made by Dr. Rose, seconded by Ms. Coffey, to approve 704 KAR 20:750 & E, Teacher's National Certification Incentive Trust Fund, Notice of Intent and Emergency Regulation.

- 2002-60** *Motion made by Ms. Gray, seconded by Dr. Charles Wade, to amend the previous motion to direct staff, if and when a state budget is approved, to add the changes discussed by the board during the May 2002 meeting into the regulation.*

Vote: Unanimous

- 2002-61** *Motion, as amended, made by Dr. Rose, seconded by Ms. Coffey, to approve 704 KAR 20:750 & E, Teacher's National Certification Incentive Trust Fund, Notice of Intent and Emergency Regulation.*

Vote: Unanimous

There was concern voiced by board members regarding the first come, first serve language and how that could affect districts in which there are no NBPTS-certified teachers. Ms. Wiederwohl indicated that NBPTS has received a large grant to support the *Appalachian Project*. This grant will provide funds to target participation in the Appalachian region. The *Appalachian Project* will do two things – 1) allow focus on mentoring, recruitment, and promotion and 2) have monies available to support candidates. Currently, only 20 counties in Kentucky have no NBPTS participation. Additionally, EPSB staff will continue to promote NBPTS across the state. The board, at its July retreat, will further discuss NBPTS certification.

SB 192, One-Year Conditional Certificate, Notice of Intent and Emergency Regulation

- 2002-62** *Motion made by Dr. Rose, seconded by Ms. Gray, to approve SB 192, One-Year Conditional Certificate, Notice of Intent and Emergency Regulation.*

Vote: Unanimous

Assessment & Licensure and Program & Technical Assistance Work Group

As the agenda was small, all items were heard by a Committee of the Whole.

Action Items

Waiver Requests

2002-63 *Motion made by Dr. Wade, seconded by Ms. Gray, to approve the request of Mr. John A. Barnes to waive 704 KAR 20:305, Section 1, recency of Kentucky principal test.*

Vote: Unanimous

2002-64 *Motion made by Dr. Rose, seconded by Dr. Wade, to approve the request of Ms. Cara Milby to waive 704 KAR 20:305, Section 2 (4)(b), required PRAXIS exams.*

Vote: Unanimous

2002-65 *Motion made by Dr. Rose, seconded by Ms. Gray, to approve the request of Ms. Gail Graves to waive 704 KAR 20:510, renewal for moderate and severe probationary certification.*

Vote: Unanimous

2002-66 *Motion made by Ms. Coffey, seconded by Ms. Gray, to approve the request of Ms. Lauri Perkins to waive 704 KAR 20:510, renewal requirement for learning and behavior disorders probationary certification.*

Vote: Unanimous

2002-67 *Motion made by Ms. Gray, seconded by Mr. Joe Welch, to deny the request of Mr. Larry Salmon, Superintendent, Calloway County Schools, on behalf of Ms. Kelly Lyles to waive 704 KAR 20:520, renewal requirements for guidance counselor certification.*

Vote: Unanimous

Motion made by Dr. Rose to deny the request of Ms. Betty Showalter to waive 704 KAR 20:680, renewal requirements.

Motion failed for lack of a second.

2002-68 *Motion made by Ms. Gray, seconded by Dr. Wade, to approve the request of Ms. Betty Showalter to waive 704 KAR 20:680, renewal requirements.*

Vote: Unanimous

Applications for Alternative Route to Certification Based on Exceptional Work Experience

2002-69 *Motion made by Dr. Rose, seconded by Ms. Poindexter to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in theater, grades 9-12, for Ms. Madeline McGeeney*

Vote: Unanimous

Eastern Kentucky University – Gifted Endorsement (Graduate Level)

2002-70 *Motion made by Dr. Rose, seconded by Ms. Poindexter to approve the gifted endorsement certification program (graduate level) at Eastern Kentucky University.*

Vote: 8 Yes
1 Abstain (*Dr. Wade*)

2002-71 *Motion made by Dr. Rose, seconded by Ms. Gray to approve the chemistry, grades 8-12, and physics, grades 8-12 certification programs (bachelor's level) at Transylvania University.*

Vote: 8 Yes
1 Abstain (*Dr. Wade*)

2002-72 *Motion made by Ms. Gray, seconded by Dr. Rose to approve the chemistry, grades 8-12, earth/space sciences, grades 8-12, and physics, grades 8-12, certification programs (bachelor's level) at Western Kentucky University.*

Vote: 8 Yes
1 Abstain (*Dr. Wade*)

2002-73 *Motion made by Dr. Rose, seconded by Ms. Gray to approve the alternative route to certification proposal in special education submitted by Asbury College.*

Vote: 8 Yes
1 Abstain (*Dr. Wade*)

DISCIPLINARY MATTERS EPSB MINUTES OF CASE REVIEW June 17, 2002

Motion made by Ms. Gray, seconded by Ms. Coffey to go into closed session for purpose of discussing proposed or pending litigation in accordance with KRS 61.801(c)&(j).

Vote: Unanimous

Motion made by Ms. Poindexter, seconded by Ms. Gray to return to open session.

Vote: Unanimous

The following board members concurred with the actions as listed below with the noted exceptions:

Lydia Coffey, Joy Gray, Kristin Gregory, Terry Poindexter, Tom Stull, Joe Welch, Arthur Green, Jack Rose, and Starr Lewis (Commissioner Wilhoit's designee.)

Attorneys present were Allison Weber and Brenda Dinkins Allen.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
02-0101	Hear
02-0443	Hear (<i>Rose recused</i>)
02-0337	Admonish
02-0336	Hear
02-0333	Hear
02-0338	Admonish (<i>Wade, Rose and Green recused</i>)
02-0331	Dismiss
02-0460	Hear
02-0445	Hear
02-0457	Hear
01-0766	Hear
02-0455	Hear
02-0450	Admonish (<i>Wade dissented</i>)
02-0451	Admonish (<i>Wade dissented</i>)
02-0454	Admonish (<i>Wade dissented</i>)
02-0449	Admonish (<i>Wade dissented</i>)
02-0448	Admonish (<i>Wade dissented</i>)
02-0459	Admonish (<i>Wade dissented</i>)
02-0452	Admonish (<i>Wade dissented</i>)
02-0453	Admonish (<i>Wade dissented</i>)
02-0458	Admonish (<i>Wade dissented</i>)
02-0323	Hear
02-0339	Hear
02-0568	Hear
02-0334	Hear
02-0332	Hear (<i>Wade dissented</i>)
02-0447	Dismiss
02-0326	Admonish
02-0340	Hear
02-0456	Hear
02-0567	Dismiss (with letter to Superintendent)

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
02-079	Approve
02-080	Approve
02-081	Approve
02-071	Approve
02-085	Approve
02-086	Approve
02-049	Approve
02-084	Approve
02-087	Approve
02-088	Approve

02-089	Approve
02-090	Approve
02-091	Approve
02-092	Approve
02-093	Approve
02-094	Approve
02-095	Approve
02-096	Approve
02-097	Approve
02-098	Approve
02-099	Approve
02-100	Approve
02-082	Approve (<i>Green dissented</i>)
02-083	Approve
02-101	Approve

Agreed Orders

Case Number

Decision

01-0995 (Karen Murphy)	Accept Agreed Order dismissing the respondent's case without prejudice on condition that respondent successfully complete an inpatient substance abuse program and all aftercare treatment recommendations, including weekly counseling for the remainder of 2002 and faithful attendance at A.A. meetings. Vote: Unanimous
02-0342 (Stephen Okel)	Accept Agreed Order suspending respondent's certificate from April 1, 2002 through June 30, 2002 on condition that respondent successfully complete 12 hours of Ethics Training on or before August 31, 2002. Vote: Unanimous
01-11117 (Stephen Traynor)	Accept Agreed Order suspending respondent's teaching certificate for two years from October 22, 2001. Reinstatement expressly conditioned upon respondent's providing written evidence to the Board of successful completion of 12 hours professional development in ethics and sexual harassment, as approved by the Board. Prior to reinstatement, respondent must also provide proof of dismissal of Scott District Court cases 01-M-01199 and 01-01200, both in the matter of <u>Commonwealth v. Traynor</u> . Vote: Unanimous (<i>Wade recused</i>)
01-0544 (Inez Burgan)	Accept Agreed Order admonishing respondent for failing to report allegations of child sexual abuse in violation of KRS 620.030.

Vote: Unanimous

00-11227 and 01-0548
(Johnny B. Crider)

Accept Agreed Order allowing respondent to voluntarily surrender his teaching certificate. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky for a period of five years from June 17, 2002. The issuance of any certificate to respondent after that five year period is expressly conditioned upon respondent providing proof at the time of application of the successful completion of 12 hours professional development in sexual harassment and ethics, as approved by the Board.

Vote: Unanimous

2002-74 *Motion made by Dr. Rose, seconded by Ms. Poindexter, to send a letter to all superintendents informing them of the severity of misuse of technology resources, particularly e-mail, as is evidenced by the increasing number of such cases being presented to the Board as a violation of the Code of Ethics. Copies of the letter should be provided to the Commissioner of the Department of Education and the Associate Commissioner of the Office of Education Technology.*

Vote: Unanimous

Motion made by Ms. Gray to adjourn the meeting. Seconded by Ms. Poindexter.

Vote: Unanimous

The meeting adjourned at 1:20 p.m.

Board Retreat: **July 22-23, 2002**
Four Point Sheraton
Lexington, Kentucky

Next meeting: **August 26, 2002**
Best Western Motel
Frankfort, Kentucky

Executive Work Group: **TBA**